

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1761

Applicants: LABERGERIE et al

Serial No. 09/735,092

Filed: December 12, 2000

Group Art Unit 1761

Examiner: Leslie WONG

For: **DEXTROSE HYDRATE IN FORM AND A PROCESS FOR THE PREPARATION THEREOF**

**BOX NON FEE AMENDMENT**  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Transmitted herewith is an amendment for this application.

2. Applicant is

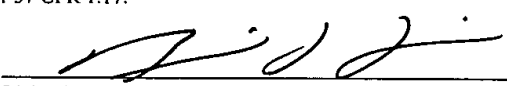
- ☐ a small entity - verified statement:
- ☐ attached already filed.
- ☒ other than a small entity.
- ☒ No additional fee for claims is required.

The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

COL. 1		COL. 2		COL. 3	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit Fee		Rate	Addit Fee
Total	15*	Minus	20**	0	\$ 9	\$0		\$18	\$0
Independent	1*	Minus	3***	0	\$40	\$0		\$80	\$0
<input type="checkbox"/> First presentation of Multiple Dep. Claim					\$135	\$0		\$270	\$0
					<b>TOTAL</b>	<b>\$0</b>	<b>OR</b>	<b>TOTAL</b>	<b>\$0</b>

- \* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Charge Account No. 08-1650 the sum of \$\_\_\_\_\_. A duplicate of this transmittal is attached.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-1650.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

  
Richard L. Fix  
Reg. No. 28,297

HENDERSON & STURM LLP  
206 Sixth Avenue, Suite 1213  
Des Moines, IA 50309-4076  
Telephone: 515-288-9589  
Fax: 515-288-4860

September 24, 2002  
Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, P.O. Box 231, on September 24, 2002.  
*Richard M. Goss*

RECEIVED  
OCT - 1 2002  
TC 1700 MAIL ROOM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6  
10-03-02  
RECEIVED  
OCT-1 2002  
JC 1700 MAIL ROOM

In re application of )  
LABERGERIE et al. )  
Serial No.: 09/735,092 ) Art Unit: 1761  
Filed: PCT filing date: 31/05/00 ) Examiner: Leslie WONG

FOR: DEXTROSE HYDRATE IN POWDER FORM AND A PROCESS FOR THE  
PREPARATION THEREOF

AMENDMENT

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In response to the election/restriction requirement  
mailed July 3, 2002, please find the Applicant's remarks  
hereafter:

REMARKS

The Applicant notes that the Examiner made her  
requirement for restriction final. The Applicant hereby  
elects Group I, i.e. claims 22 to 36.

However, the Applicant respectfully reminds the Examiner  
of the published PTO guidelines on the treatment of product  
and process claims (BNA's PCT Vol. 51, page 626), where in a  
requirement for restriction an applicant elects the product  
claims which are subsequently allowed, the non elected

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as  
first class mail in an envelope addressed to Com-  
missioner of Patents and Trademarks, Washington,  
D.C. 20231, on September 24, 2002.

Deborah M. Geller